



**Delaware Thoroughbred Racing Commission
Minutes of Meeting Held On
July 10, 2019**

The Delaware Thoroughbred Racing Commission held a Public meeting on
Wednesday, July 10, 2019, at 9:05am at the Horsemen's Office, Delaware Park, 777 Delaware
Park Blvd., Wilmington, DE 19804

The following Commission members were present:

W. Duncan Patterson, Jr., Chairman
Edward Stegemeier, Secretary-Commissioner
Richard A Levine, Esq, Commissioner
Henry J. Decker, Commissioner
Debra M. Killeen – absent - excused

The following individuals also were present:

John F. Wayne, DTRC, Executive Director
Andrew Kerber, Esq., Deputy Attorney General
Tony Langford, DTRC, State Steward
Jean Chalk, State Steward
Fritz Burkhardt, Presiding Steward
Dr. Susan Botts, DTRC, Chief Veterinarian
Eric Coatrieux, Safety Steward
Bill Fasy, Delaware Park-President
Kevin DeLucia, Sr. Vice President & CFO, Racing-Administration, Delaware Park
John E. Mooney, Executive Director of Racing, Delaware Park
Jeff Ganc, Assistant Security Director, Delaware Park
Bessie Gruwell, DTHA, Executive Director
Allyson Swartzentruber, DTRC, Administrative Asst. (Recording Minutes)

1. WELCOME & CALL TO ORDER

At approximately 9:05 A.M., Chairman Duncan Patterson called the meeting to order.

2. APPROVAL OF MINUTES (June 12, 2019 MEETING)

Upon a motion duly made (Decker) and seconded (Patterson), the minutes from the June 12, 2019 meeting were unanimously approved.

3. OLD BUSINESS

There was no old business to discuss

4. Report from DTRC Chief Commission Veterinarian – Health Report and Information

Dr. Botts reported that there were two musculoskeletal fatalities which occurred while racing, one musculoskeletal fatality which occurred during training, and one sudden death. The sudden death case necropsy has not yet come back, but it is believed that bleeding in the lungs led to cardiac arrhythmia.

There are currently two horses isolated in barn 51. Both have tested positive for “strangles” (*Streptococcus equi*), but one is exhibiting full symptoms while the other may simply be a carrier, or the presentation of symptoms may be inadvertently inhibited by medications that it had been given for other issues. Both horses will remain in isolation until July 19th when their recommended 21 days of isolation is up. The 21 day recommendation comes from a *streptococcus equi* expert at the New Bolton Center. This is the length of time that a horse can remain contagious even if they are no longer exhibiting symptoms. As a precaution, horses that were being housed in the same barn as these two horses are being kept isolated in barn 3, but none have shown symptoms at this time. While these horses have not tested positive for the illness, they are allowed to train only after all other horses have left the track. Other horses have spiked fevers since the *streptococcus equi* case was discovered, but all have been tested and come back negative for the illness.

Regarding the ten deaths that we’ve had so far this racing season (8 musculoskeletal and 2 sudden) Mr. Decker is concerned that there may be a pattern that we are not yet seeing. Mr. Patterson posits that a possibility may be the lack of an extended break for most of the horses that come through our track. He adds that the Finger Lakes track sees fewer breakdowns than ours and may be because many trainers keep their horses at that track year-round, and therefore their horses get a 3 month break during the winter months. Mr. Decker believes that we need to stay vigilant and look for answers so that if or when the general public asks questions regarding breakdowns, we have answers. Safety Steward Eric Coatrieux is asked to look at the racing records of each of these horses to see how often they worked and/or raced to see if there is a pattern.

The Commission requests that the one death listed in April be included in the to-date tally on future reports even though it occurred outside of the racing season.

5. NEW BUSINESS

A. Signing of Decision and Order Regarding Wayne Potts Appeal 101-2018

Mr. Kerber presented the Commission’s written decision on the Wayne Potts appeal which was heard and decided during the June 12 Commission meeting. Commissioners Patterson and Decker signed the document. The decision goes into effect immediately as only two of the three Commissioners present for the hearing are required for a quorum under our statutes. When the entailed five day suspension begins will be for the Stewards to decide.

B. RMTC External Quality Assurance Program on double-blind samples completed

Mr. Wayne included the ALS Truesdail Laboratories report in today’s meeting to show the Commission that the testing lab scored a 100% on their Quality Assurance test. We can be assured that the samples we send in are being accurately evaluated.

Ms. Gruwell raised concerns that we are not getting test results back in a timely manner, especially when compared to last year. She mentioned that results have not come back from June 20th specifically, even though results from days before and after the 20th have already come back.

C. Incompass Discussion

Commissioner Patterson noted his concern that the Stewards and Safety Steward do not have access to the *Incompass* database. Mr DeLucia posited that the contract held with Incompass regarding the storage of jockey personal information for use in our concussion protocols is between Incompass and Delaware Park. Because the Stewards are not employees of Delaware Park, their usage of the system would breach and cancel the current contract, also leading to financial repercussion. The Stewards' administrative assistant was purposely left as an employee of Delaware Park so that she could have access to Incompass and provide the Stewards with the needed information.

Mr. Levine requests that we look into the possibility of the Commission contracting with Incompass separate from Delaware Park so that the Stewards can have direct access. Mr. Stegemeier requests that Mr. Wayne ask other jurisdictions how their Stewards have gained access.

D. Discussion on Claiming Horses and Restrictions

Some of the trainers have complained to Commissioner Patterson that their claimed horses are held at Delaware Park until the end of the meet, and they have horses stabled at Fair Hill which if they are brought to Delaware Park will not be allowed to return to Fair Hill because they have heard that Delaware Park is under streptococcus equi "quarantine." The trainers' request being that the horses that they have claimed at Delaware Park but are not stabled here be allowed to run at another track.

Mr. Fasy recommends that the Commission appeals to whatever regulatory body governs the veterinarians require that horses receive a more thorough health inspection before being allowed to leave one track for another. He posits that we may even at some point require that incoming horses be vaccinated in order to protect the track from a repeat of the turmoil caused by receiving a horse whose sickness was not detected by vets at the track that it was being shipped from. Mr. Patterson informed the room that the issue with the sending veterinarian in this case was that they shipped the culture for testing in Kentucky instead of locally, and then allowed the horse to leave without waiting for the results. Ms. Gruwell raised the thought that Delaware Park should consider blocking horses from entering the property until we receive their negative cultures.

6. Report from DTRC Executive Director

A. Summary of Activities Report for June 2019

At this time, Mr. Wayne presented his Summary of Activities report for the month of June, 2019.

	<u>Year-To-Date</u>
Number of Persons Fingerprinted	208
Fingerprint Fees Collected	\$16,432.00
DTRC Licenses Issued (523 this month)	2,800
Fines & Appeal Fees Collected	\$7,926.58
License Fees Collected or Billed	\$106,565.00

5 National Surveys from ARCI
24 Horsemen Contacts
2 Video Lottery Enforcement Unit (VLEU) Contacts
12 Contacts from other Commissions
8 Police & Law Enforcement Contacts
1 ROAP Contacts
0 Review of National Racing Compact Application
91 Total National Racing Compact Applications Received (Delaware)
5 Industry Contacts
11 Racing Association Contacts
2 Media Contacts
3 FOIA Request

17 Public Contacts

Mr. Wayne asked the Commission to confirm that they will be giving their standard \$5,000 donation to the Permanently Disabled Jockeys Fund for an event that they will be hosting on July 27th. The amount was confirmed and will be distributed from the Delaware Jockeys Health and Welfare Fund.

7. Report From Thoroughbred Horsemen's Association

A. Delaware Certified Thoroughbred Program Report

At this time, Mrs. Gruwell presented the Delaware Certified Thoroughbred Program Report. The Program received (19) applications from April 1st to June 30th bringing the year-to-date total to (38).

There was \$165,910 in bonuses paid to certifiers and owners for 1st, 2nd, 3rd, 4th, and 5th place finishes during the month of June.

The Program now has a beginning balance of \$1,032,987.47 after May interest of \$1,035.56.

8. PUBLIC COMMENT

There was no public comment at this time.

9. EXECUTIVE SESSION

The Commission entered Executive Session at 10:20am and adjourned at 10:55, returning to public session at 10:56pm.

10. ADJOURNMENT

Upon a motion duly made by Commissioner Decker and seconded by Commissioner Stegemeier the public session was adjourned at approximately 10:57 pm.